

Karner Blue Butterfly HCP
IOC Meeting
9:30 a.m. to 2:30 p.m.
October 8, 2003
The Mead Inn
451 East Grand Ave., Wisconsin Rapids.

MINUTES

Present: Gary Birch (Chair), Dave Lentz, Matt Krumenauer, Jim Zahasky, Joel Aanensen, Steve Richter, Megan Marie (Recorder)
Absent: DATCP

Anti-Trust Announcement

Dave read Anti-Trust Statement

1. Introduce new DNR HCP staff person, Megan Marie

2. Announcements

Dave handed out Federal Register notification of the final KBB Recovery Plan. He said DNR Endangered Resources would look closely at the plan. He believes that none of the recovery goals or requirements for WI has been changed.

3. Agenda repair. IOC decided to add item 13. "Objectives of Effectiveness Monitoring: Develop an initial list of goals and objectives for a complete monitoring system."

4. Approve 8/13/2003 IOC minutes

Jim Zahasky made a motion to accept minutes, Joel Aanensen seconded the motion. Minutes Approved.

5. Review ACTION ITEMS from previous IOC meetings

ACTION ITEM: (Re: ANR Pipeline's request for a premanagment survey exclusion around safety signs.) Dave will send a letter to FWS requesting this amendment.

Update Dave: This was done. Cathy Carnes has requesting more data on this issue, so it's still under review.

Further Update: ANR has incorporated additional requested information into a new draft; waiting feedback from Dave.

ACTION ITEM: Dave will talk to the Natural Resources Foundation and the Fish and Wildlife Foundation about the possibility of setting up an account to bank HCP fees, or to solicit ideas for other ways to do this.

Update Dave: Not done yet.

Update: Still not done. Not a high priority at this time.

ACTION ITEM: Gary Birch will draft a proposal on how to use mowing to control invasive plants.

Update: (Not discussed in meeting - Gary was absent.) Prior to meeting, Gary told Dave he was still working on it, but wanted to get feedback from field staff following completion of a whole field season.

Update: WDOT is redoing entire ROW management. Invasive plant control consideration will be incorporated into new approach. This will likely not be evaluated until spring of 2004.

ACTION ITEM: Dave to talk with Matt Krumenauer about direct involvement as members of the monitoring team being assembled.

Update: Dave asked Matt to be a member of the monitoring team, Matt accepted invitation.

6. Partner Inclusion updates:

- Existing applications' status report
- New or pending applications
- Certificate of Inclusion Issuing: FWS making progress - status report

Dave: There are six town/county highway departments, which have just received their Certificate of Inclusion.

Burnett County Hwy. Dept., Town of Adams (Adams County), Town of Quincy (Adams County), Eau Claire County Hwy. Dept., Juneau County Hwy. Dept., and Town of Swiss (Burnett County).

ATC and Plum Creek Certificates of Inclusion are still pending at the FWS in New Franken. ATC has been waiting since March 2001, and Plum Creek since March 2002. The Service continues analysis on these CIs. ATC is still covered under the three-year management contracts with WPS and Alliant from their original SCHAs. Plum Creek is not currently covered. What are implications of not being covered? Answer from Janet Smith is that law enforcement discretion will be used so Plum Creek can continue to take, but officially they are not legally covered. Will discuss the FWS handling of inclusions further on agenda item 10. Onyx 7-mile Creek Landfill project is still being actively developed. A Certificate of Inclusion has not been applied for yet. The next step is with Onyx' consultant (Smith Group).

Other issues: When will we invite all remaining corridor managers including railroads into HCP? Can the Service handle the workload? Dave thinks not yet. FWS CI analysis process needs more streamlining before we try to include the corridor managers. Cathy Carnes and Dave are working on this. Topic should be discussed in detail at meeting with FWS.

Gary: FWS has discouraged others joining HCP by their inaction in enforcing ESA. Also by not inviting corridor managers the partnership could be exposed to criticism.

7. Compliance Audit updates

Dave: Has begun audits for 2003. White River Marsh WA and DOT are the first repeat audits in the 3-year audit rotation. Will be doing a follow-up audit for Sandhill WA next week. First time audits for new partners act as an orientation. Audits are going well. FWS appears to be pleased with our audit process.

8. Limited Partner (LP) streamlining progress:

- Review/modify/approve new draft limited partner lupine survey guideline/protocol
- Review/modify/approve new draft brushing guideline

Dave: Cathy Carnes and Dave Lentz are creating very specific guidelines for ROW managers including mowing, brushing and ditch maintenance. When completed, existing LPs will be offered the opportunity to include these specific guidelines as part of an amended SCHA. When specific, detailed guidelines covering all possible LP activities are developed, it will make it much easier for the FWS to approve future CI requests for Limited Partners. This would also eliminate most or all waiting periods for pre-approval of ditch maintenance and construction projects.

An attempt should be made to streamline the process for corridor managers as well with specific guidelines much like been done for the Limited Partners, only for activities that apply to corridor managers. Dave is also working with Cathy Carnes on a standard SCHA template for LPs, standard

ditching mitigation protocols and guidance, and other templates for each entity group. These new streamlined processes and protocol packages would apply to future partner applicants.

Dave wants to add a reference to snow-plowing guidelines in the ROW guideline much the same as the pesticide guidelines are referenced. This would result in a single comprehensive protocol for Limited Partners.

Steve: Asked for clarification on ROW guidelines. Does this only apply where lupine exists? Dave: Yes. Steve: Is lupine survey for LPs annual or one time? What about areas where there is not lupine now? Should they look for lupine later?

Dave: LPs will be surveying lupine patches yearly to look for changes and then will adjust their inventory (map). When LPs create habitat, e.g. resulting from a ditching mitigation, the post-management lupine survey will recognize replacement (1:1) or additions (>1:1) of habitat. They will adjust their inventory (map) again.

Steve: Are Limited Partners surveying for Karners? Dave: No, the DNR agreed to be responsible for Karner surveys at LP defined lupine patches. This may include volunteers.

Matt: Is there a problem with maps at different scales from various LPs?

Dave: No. Distance scales and other information required on the maps is sufficient thus far.

Gary: Clarification on Tree and Brush removal? Dave: Tree and brush removal was stated in the current ROW guideline with no description. This new language details what was intended, and what is acceptable for this activity.

9. Update on changes to Effectiveness Monitoring (EM) for next year.

(This could be a significant change for all HCP members beginning next spring flight season.)

Gary: There is a need to change the EM protocol to come up with data that is more easily analyzed.

Joel: Possibly shifting more of the EM to permanency of habitat from shifting mosaic

Steve suggests monitoring specific sites but not annually (every 3-5 years)

Dave: Cathy Carnes recognizes that EM's purpose is to demonstrate efficacy of HCP approved management techniques, and that the existing monitoring EM approach is not proving the efficacy of the plan across the whole WI range. Dave stressed that Karner Blue populations are stable in WI and that he believes FWS recognizes this. It will be more meaningful for us to validate the impacts of management following the approved methods and guidelines.

EM system changes may have a large effect on some partners. Question is what do we need to find out? How to accomplish this?

Dave is assembling a monitoring team. Dave realizes the urgency of doing this, but has had setbacks due to workload constraints and priorities.

Steve: Suggested hiring contractor to work on this immediately, someone whose only priority is to work on this EM strategy.

Gary: I agree, we can not wait until spring.

Dave: Have discussed this with a professor at UWSP. He is willing to work on the EM strategy.

Jim: First need list of objectives and goals before we pass the work on to others.

Matt: Suggested highly individualized monitoring strategy for each partner.

Dave: EM changes or at least proposals need to be ready by February HCP meeting so partners can be instructed in the changes or entertain options.

Joel: Need to pull together all the research that has been done (entire partnership) and see what's there. Partners may have much valuable data already.

ACTION ITEM: Dave will contact committee members and set up a meeting/workshop for December 10th. First half of day will be a joint meeting to describe the monitoring objectives and charge the monitoring committee with their work and deadlines. The afternoon, the monitoring committee and IOC

can meet separately to work on their respective business. Dave and Gary (possibly Paul Rasmussen also) will plan and design this meeting.

10. What issues should Dave & Gary (IOC Chair) take to 10/29/03 HCP 6-month Review meeting with FWS?

- The items on today's agenda.
- When will we invite all remaining corridor managers including railroads into HCP?
- DOW chemical (Intrepid) issue with cranberry growers. They have worked well with DATCP thus far, but now EPA has brought up DOW issue and cranberry growers are angry. The cranberry growers are blaming the HCP, saying it has failed to do what we said it would. To resolve, the FWS may have to defend the HCP since it is not the fault of the HCP, but the inability of the EPA and FWS to resolve the problem.
- Steve: We should document time frame for new EM strategy, and get a commitment (for the approval process) from the FWS to the timeline.
- Gary: Will try to attend meeting to represent partners. Need to discuss "back door" issue whereas third party brings to light "illegal take" by roadway managers and lack of enforcement by FWS.

11. Plan February 2004 HCP Team meeting

- * Gary: Hopefully we'll have new EM strategy to discuss/ratify.
- * Dave: IOC reps should meet within their entity groups before meeting to discuss monitoring changes. Many issues and questions could be resolved this way before the whole HCP team meets.
- * Update on 6-month review meeting
- * GPS/GIS capabilities and field recorders; how this might apply to new monitoring strategies.
- * Voluntary conservation efforts (NRCS rep, others?)

12. New HCP Implementation form for documenting management activities

Discuss form content and recommend application.

Form makes annual reporting much simpler for partners, also helps with audits. Reporting form will serve as a summary sheet for field reporting.

Dave: Will send form to partners and ask for feedback on reporting form. Send an e-copy so partners can personalize and change as necessary.

Joel: I think it's a great form. Individual partners can customize form as necessary.

ACTION: Steve: Add the name of the person involved in the action to form.

13. Objectives of Effectiveness Monitoring (added to agenda): Develop an initial list of goals and objectives for a complete monitoring system.

The Permit requires we prove that the HCP does not negatively impact Karner populations.

Partners objective is to continue business while minimizing and avoiding impact on Karner populations. Monitoring is necessary to determine if this is working.

Possible impacts on Karners are different enough that monitoring should be customized to each entity group. Monitoring is not currently specific enough to each activity. Problems arise when an attempt is made to find out "who messed up" when using "cookie cutter" EM approach.

The following is a list of objectives and sideboards for improving monitoring program as created by IOC members present at this meeting:

Objectives

- Business Objectives
 - Continue work
 - Financial objectives
 - Public goodwill
- Meet requirements of ESA
- Demonstrate to FWS HCP activities have no net adverse effects on KBB populations/habitat on partner lands over the course of the permit
- Monitoring measures specific to management activity
- Build in PDCA

Sideboards

- No additional time or money required
- Monitoring must have value and clearly support objectives
- Restrict to previously agreed upon commitments and goals (i.e. recovery research)
- Respect confidentiality of partner data

14. Closing

Summarize key points, action items, and December 10, 2003 agenda items

- * December meeting will focus on monitoring changes.
- * Set next meeting time (Schmeekle Reserve in Stevens Point is reserved)
 - May have to change date if monitoring team members can not attend on the 10th
 - Start time 9:00 with everyone (discuss objectives, etc.), split into monitoring/IOC in afternoon
- * Evaluate this meeting. No comments offered.